



image

1626

CASE CT-2645 NP

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Samuel J. DuBoff  
Type or print name

Signature

June 23, 2003  
Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF

Kuo-Long Yu, et al

APPLICATION NO: 09/994,012

FILED: November 16, 2001

FOR: Heterocyclic Substituted 2-Methyl-Benzimidazole Antiviral Agents

EXAMINER: Rebecca L. Anderson

ART UNIT: 1626

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**COMMUNICATION LETTER**

Sir:

Confirming a telephone voice mail left by Examiner Rebecca Anderson on June 20, 2003, we now understand that the Notice of Non-Compliant Amendment (Voluntary Revised Practice) mailed by the Patent Office on June 6, 2003 (a copy of which is enclosed) has been withdrawn and no reply is necessary from the Applicant.

Respectfully submitted,

Bristol-Myers Squibb Company  
Patent Department  
P.O. Box 4000  
Princeton, NJ 08543-4000  
(203) 677-7787

Samuel J. DuBoff  
Attorney for Applicants  
Reg. No. 25,969

Date: 6/23/03

Enclosure



CT 2645 NP

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/994,012	11/16/2001	Kuo-Long Yu	CT-2645 NP	9041

23914 7590 06/06/2003

STEPHEN B. DAVIS  
BRISTOL-MYERS SQUIBB COMPANY  
PATENT DEPARTMENT  
P O BOX 4000  
PRINCETON, NJ 08543-4000

EXAMINER

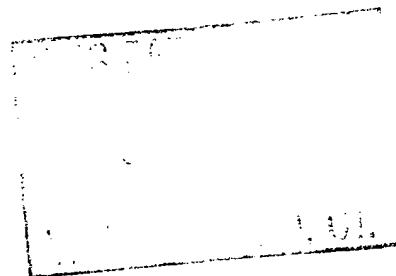
ANDERSON, REBECCA L

ART UNIT PAPER NUMBER

1626

DATE MAILED: 06/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



RECEIVED  
BIS PATENT LAW

JUN 09 2003

Docketed Item \_\_\_\_\_

Due Date \_\_\_\_\_

Attorney **DUBOFF**



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
www.uspto.gov



Paper No.

## Notice of Non-Compliant Amendment (Voluntary Revised Practice)

The amendment filed May 9, 2003 under the voluntary revised amendment practice guidelines<sup>1</sup>, published in the Official Gazette on February 25, 2003 (*Amendments in a Revised Format Now Permitted*, 1267 Off. Gazette 106), does not fully comply with minimal requirements of the voluntary practice. In order for the amendment to be entered, it must either (1) comply with the guidelines of the voluntary revised amendment practice (which practice invokes waivers of certain 37 CFR 1.121(a)-(d) requirements) or (2) comply with current 37 CFR 1.121 requirements.

THE FOLLOWING ITEM(S) IN APPLICANT'S AMENDMENT CAUSES THE AMENDMENT TO BE NON-COMPLIANT WITH THE VOLUNTARY REVISED AMENDMENT PRACTICE.

- ☐ 1. A complete listing of all of the claims is not present in the amendment paper.
- ☐ 2. The listing of claims does not include the text of all claims currently under examination.
- ☐ 3. The claims of this amendment paper have not been presented in ascending numerical order.
- ☒ 4. Each claim has not been provided with a status identifier, and, as such, the individual status of each claim cannot be determined.
- ☐ 5. Other: \_\_\_\_\_

LIE: Check one of the following boxes:

- ☐ **PRELIMINARY AMENDMENT:** Applicant is given ONE MONTH from the mail date of this letter to re-submit the amendment in compliance with either the guidelines of the revised amendment practice or current 37 CFR 1.121. Failure to comply with either the current 37 CFR 1.121 practice or with the voluntary practice will result in non-entry of the amendment and examination on the merits will commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.
- ☐ **AMENDMENT AFTER NON-FINAL ACTION:** Since the above-mentioned reply appears to be a *bona fide* response, applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit an amendment which complies with either the voluntary practice guidelines or current 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).

Brenda Gray  
Team Leader

<sup>1</sup> For further explanation of the guidelines of the revised amendment format, please see the posted notice and sample amendment format at:  
<http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf> and  
<http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/formatrevamdtprac.pdf>